

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:09-CR-21-BO

UNITED STATES OF AMERICA

v.

MICHAEL EUGENE LOCKLEAR

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ORDER

This matter is before the Court on Defendant's Motion for Immediate Release [DE 44] and the Government's Response in Opposition [DE 45]. A hearing in this matter was held on August 25, 2011, and was continued on September 2, 2011.

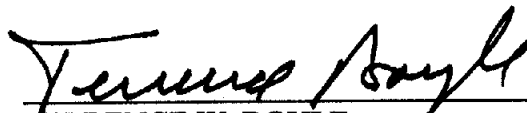
After full consideration of the arguments of counsel and the reports submitted by Federal Medical Center (FMC) Butner staff, the Court concludes that, given the nature of the crimes for which Defendant has been indicted and the fact that more than seven months have elapsed since Defendant's potential for dangerousness to the community has been evaluated [DE 40], it would be inappropriate to release Defendant from custody at this time.

Accordingly, it is hereby ORDERED that Defendant again be REMANDED to FMC Butner for thirty (30) days to receive further evaluation regarding his competency to proceed to trial, his potential for dangerousness to the community, and his ability to be released under conditions of confinement imposed by the U.S. Probation Office. At such time as the Court receives updated reports from FMC Butner staff, the Court will consider again Defendant's

Motion for Immediate Release and the Government's opposition thereto.

SO ORDERED.

This 2 day of September, 2011.



TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE